

TONOPAH DAILY BONANZA

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CORPORATIONS AS GRUBSTAKERS

PROSPECTORS were grubstaked in the earlier days under a different understanding than is now customary. Then the knight of the pick was not tied down by any restrictions or specified mode of procedure. He was free to roam wherever his inclinations might dictate; and he usually traversed an extensive territory in his search for treasure. His prospecting, however, was of a most cursory kind; his pick would open the soil first in one place, where he would camp for a few days, then in another and another, until he either hit upon an easy, high grade proposition or returned to the haunts of civilization with the confession that he again was "busted." It was seldom that he worked any prospect thoroughly that did not show flattering indications of a find; he wanted quick and large results and so drifted around in a desultory way, says the Denver Mining Record.

To grubstake the prospector still is in vogue, and occasionally under the old-time system, but more frequently in accordance with later day ideas. Nowadays the prospector generally locates a claim first, then seeks for financial assistance to help him develop that specified property. Once he acquires this backing through the organization of a company he proceeds to develop the prospect in a most thorough, scientific fashion and will stay with the proposition until he strikes pay ore or the treasury goes broke. This kind of prospecting has more of business and less of romance in its operation; it is real mining conducted along lines that promise the best returns.

Too often in the past claims have not proved profitable because the prospector or owner was prone to become easily discouraged. The history of mining records numerous instances where opulent finds have been made in abandoned prospects with a few strokes of the pick or a solitary blast of powder. A little more persistency in those cases, such as is displayed in these days of bull dog persistency, would have resulted in the original workers finding a fortune instead of leaving it an easy prey for others to discover.

That modern methods of prospecting are the best is clearly shown by the large number of strikes that have been made in claims that are being worked on a grubstake basis; the prospector and his associates have reason for faith in their property and they back this confidence to the limit with money and labor.

A VENERED WORLD POWER

CHINA, if telegraphic reports are true, has yielded to the demands of Japan which through the negotiations has acquired the rights to Shantung, formerly held by Germany. Furthermore, the Celestial republic is said to have extended the Port Arthur lease for 99 years.

It is evident that the slumbering giant of Asia has not yet fully awakened and that it will require another probe or two to get it aroused. China today would be one of the most powerful nations in the world if it only were fully acquainted with its own strength and knew how to use it. This nation has one-third of the population of the globe and possesses limitless resources. Its people are able to fight for their own rights. They have numbers and intelligence to back them as well as the wealth of an empire such as the world has never known for riches that may be had for the developing.

Yet China has supinely laid down to the little insular empire that some day will be crushed out of existence by the clutching hand of a real world power. The Japanese does not possess innate worth. He is simply veneered with civilization and is a savage to the core. His is a nation that is presenting a front to the world, but back of that front there is nothing but illiteracy, unreligion and sapience. The Japanese may be heralded as a world power, but scrape their skins and nothing but water exudes. China made a grave mistake when it granted the recent concession and the United States is but feared of the booby man when it makes its plans to resist the Japanese invasion.

SEARCHING INQUIRY NEEDED

THE circumstances surrounding the sinking of the submarine F-4 in Honolulu harbor should be subjected to a rigid investigation by the government, says the Winnemucca Silver State. It should be determined whose fault it is that 21 young American lives were snuffed out, to say nothing of the property loss. If the fault of the contractors who built the vessel, they should be held to strict accountability. It would be a good idea to provide court-martial for dishonest contractors of war materials, for this would seem to be the only way they may be reached.

But while on this subject, would it not be well for the government to quit playing at war? If we must build battleships and war craft, let us have adequate means at hand, at least at all the navy yards, to successfully cope with emergencies such as the sinking of the F-4. Had the station at Honolulu been provided with adequate equipment, the submarine might have been raised in a few hours and the lives of these 21 gallant men saved.

The governor of Nevada is reported to have taken a hydroplane trip at San Diego. What of it? He went a longer journey at Carson City when he declared that his will was above that of the sovereign people and his journey was in the direction of annihilation from power and the elimination of his name from the scroll of fame, where his autograph might have been written.

Another Mormon patriarch has died, leaving only 119 descendants. He evidently did not disregard the tenets of his church, one of which was to increase and multiply the earth.

The San Francisco Chronicle said that a jitney driver died while operating his car. Starvation was probably the cause.

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We'll gladly furnish information regarding goods, and welcome such inquiries. Goods can usually be sent by return mail.

PROUTY'S UNION DRUG STORE

We prepay postage on all small parcels.

MOTION FOR A NEW TRIAL OVERRULED

JUDGE AVERILL FINDS FOR THE PLAINTIFF IN IMPORTANT LOCAL CASE

In the district court of the fifth judicial district of the State of Nevada, in and for the county of Nye, Judge Mark R. Averill has passed upon the following ruling on motion for a new trial and settlement of findings and conclusions in the case of Tonopah Sewer and Drainage company, a corporation, plaintiff, against The Tonopah Mining company of Nevada, a corporation, defendant. Judge Averill made the following statement of conclusions:

Having carefully considered the argument upon the motion for a new trial herein and having examined all the authorities cited that were available to me, I see no reason to reach any different conclusion than that contained in the opinion and decision of the case filed in January, 1915.

Two questions involved require comment. One of these is as to whether the sewer rentals can be considered as separable or severable demands. It is contended that if they are, each should be made a separate cause of action. I do not see why. Demands may be clearly separate or they may be so joined as

to be clearly one cause of action; and between these two there may be and are demands which approach one of these extremes and the other. These, though severable, could have been united by the plaintiff into one cause of action, and under the rule against multiplicity and as a matter of common sense, should have been and were so united; but what the plaintiff did with them in his complaint did not bind the defendant. He retained his right to treat them as severable to the extent of asserting the statute of limitations against them.

The mining company sufficiently complied with the laws of Nevada to entitle it to urge the statute of limitations and to have the benefit of it.

The other question refers to Section 4988 of the revised laws. The original opinion found that the next section did not apply here; and it was argued on this hearing that 4983 was overlooked. It may have been. It should not be given such a broad construction that it would operate to wipe out a part of the statute of limitations, the part applicable here, if any part is applicable. It apparently refers to the two previous parts, Nos. 1 and 2 under the "four year" provision, or upon No. 3 where there has been a payment or payments. If the position of the plaintiff is correct as to this section, by its act alone it could prevent the statute of limitations from overrunning in a situation

(Continued on Page 3.)

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